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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/807,235  | 03/24/2004  | Akira Sakai          | 119232              | 4501             |
| 25944   | 7590        | 02/03/2006           |                     | EXAMINER         |
| OLIFF & BERRIDGE, PLC<br>P.O. BOX 19928<br>ALEXANDRIA, VA 22320 |             |                      | PERT, EVAN T        |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 2826                |                  |

DATE MAILED: 02/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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10/807235

| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR /<br>PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
|---------------------------------|-------------|---|---------------------|
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EXAMINER

ART UNIT      PAPER

0106

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Commissioner for Patents

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The IDS entered December 5, 2005 has been considered, yet does not alter the allowability of claims previously indicated; for example, the cited reference does not at all discuss “epitaxially growing...” and treating specifically from “within 900°C to 1000°C,” which according to applicant, is a special process that results in a unique “product-by-process” which is a unique structure of gate oxide, with “mixed throughout” and other structural features distinguishing from prior art metallic oxide gate dielectrics of the same material, yet in different form because of the specifically claimed treatment including “epitaxially growing...” and “treating within 900°C to 1000°C.”

### ***Conclusion***

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Evan Pert whose telephone number is 571-272-1969. The examiner can normally be reached on M-F (7:30AM-3:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn can be reached on 571-272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ETP  
January 30, 2006

  
**EVAN PERT**  
**PRIMARY EXAMINER**